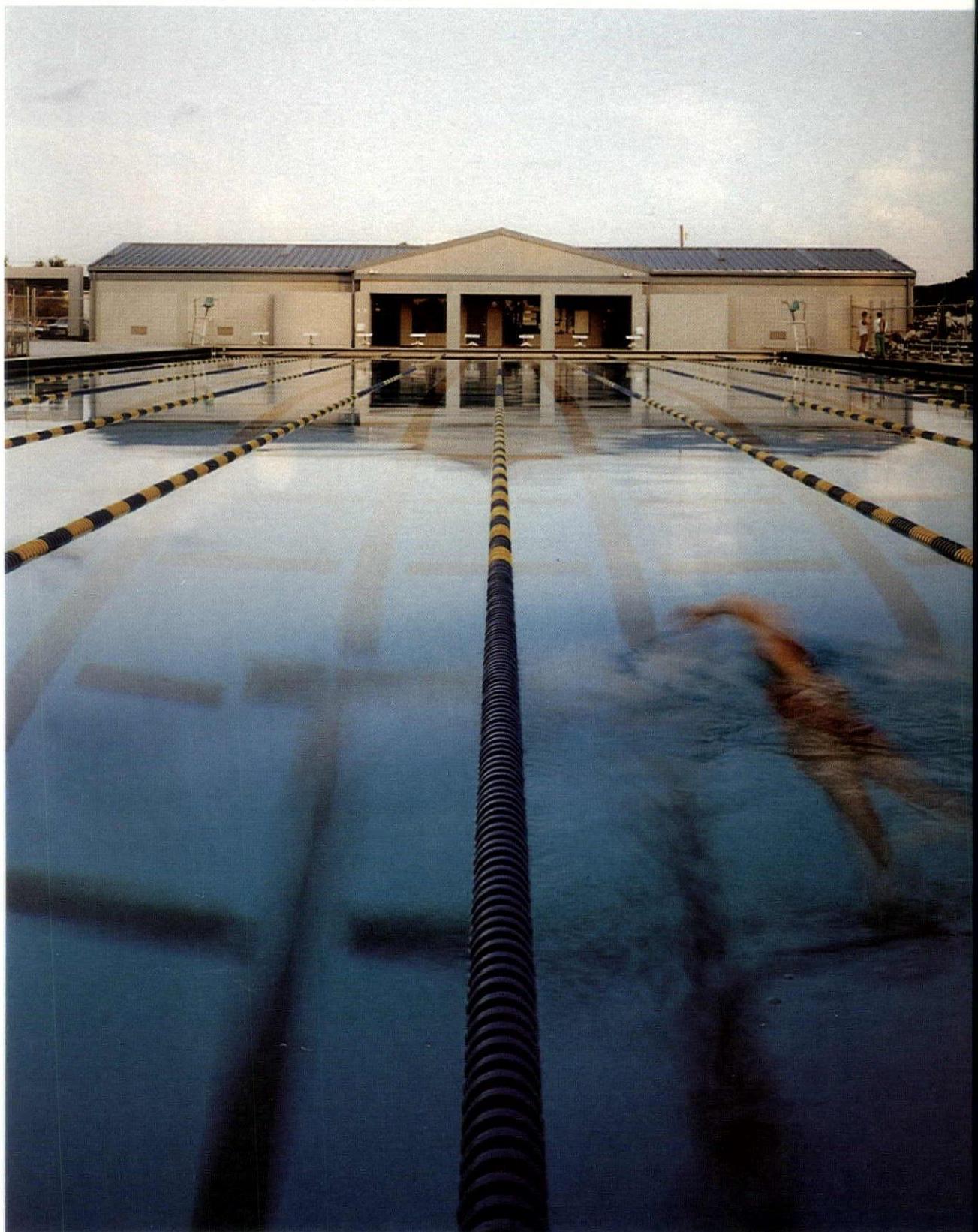


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Introduction

*Malpractice Insurance
or Hit Me With A Switch . . . I'm going Bare
By Eric Englund*

Several recent developments in the malpractice insurance business for architects and engineers have escalated the love/hate relationship in existence between A-E's and their insurance carriers. Insurance premiums have skyrocketed, in some cases in Wisconsin firms' premiums have gone up over 300%. A number of insurance companies have quit providing the coverage, in some cases in Wisconsin leaving firms without insurance carriers. Most insurance companies are exempting asbestos related work from their scope of coverage, with this exception apparently relating to work that was done in past years and which was then covered by insurance.

With the insurance industry tightening down the screws on the profession, there appears to be an ever increasing propensity on the part of owners, contractors and injured parties to sue the project architect. A school burns down when a midnight intruder takes an acetylene torch to a door frame . . . sue the architect. The owners of the 25 year old office building who want to add an addition are required to increase exits on the existing building . . . sue the architect. A zoo keeper on her first day of employment tries to pet an elephant who steps on her toes . . . sue the architect.

As crazy as these lawsuits sound, it costs lots of money to defend your-

self, even when you aren't at fault. Further compounding the problem is the reality that architects, like all others, are fallible and do make errors. The reality of architecture is that at times those errors can be extremely expensive.

Many of today's architects, when faced with the costs of very substantial premium increases, are contemplating or have already decided to practice without insurance protection. Is this penny wise? Unfortunately there are no simple answers. The consequences of "going bare" can be severe. While it may be true that some injured parties will not sue an architect who does not have the substantial assets of an insurance policy to back them up, there are no guarantees that this will happen. An architect who finds himself in a lawsuit without the protection of insurance faces substantial costs in defending the action. These costs can be substantially magnified if the injured party prevails and wins a substantial judgment against the architect. Depending on the nature of the error and the relationship of the architect or firm to that error, both the assets of the architectural firm that provided the service and the individual who stamped the plans can be subject to collection actions by the injured party. In its worst case this can mean that an individual architect may be required to sell existing assets to pay off the judgment.

Even if an architect has no assets which can be sold, an injured party may be able to collect by garnishment of the architect's future income.

Sure there is the ultimate escape hatch from a large judgment . . . personal bankruptcy. Unfortunately bankruptcy has severe negative drawbacks and will only be considered in the most severe of situations.

While there is apparently no industry standard, it appears that many Wisconsin firms are expending two - eight percent of their gross billings for insurance premiums. There are many Wisconsin architects who are foregoing this expense. In foregoing the opportunity to obtain errors and omissions coverage, the architects and their firms subject themselves to severe financial risks. Clearly some of those risks can be reduced through careful planning, but equally clear is the reality that the financial risks of going bare remain substantial and cannot be eliminated. The economic consequences of practicing without insurance can be disastrous and it is critical that architects examine those consequences prior to taking such drastic action. ■



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Projects

Pewaukee Veterinary Service	15
Good Samaritan Medical Center	17
Mequon Medical Park	23

Reports

Introduction Eric Englund	2
Help! Thomas A. Heike, AIA	5
DILHR Preliminary Review Policy	6
Code Update	8
Computers Ronald V. Gobbell, AIA	11

News

Society News	25
Marketplace	30



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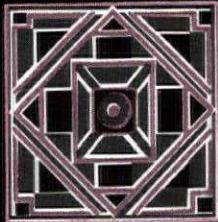
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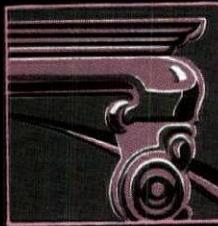
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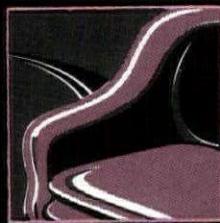
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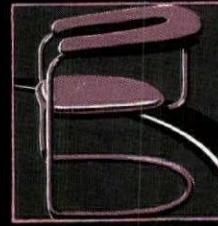
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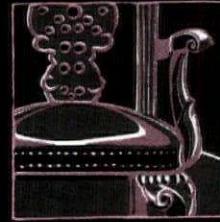
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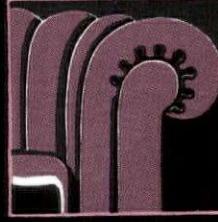
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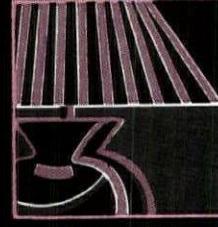
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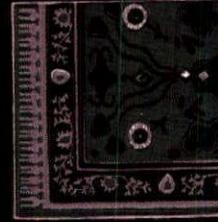
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Dear Fellow Members of the WSA:

This has been a good year for most of us with the decrease in interest rates followed by expanded vitality in private and public sector development. We have been very busy addressing the needs of our clients and making sure their projects meet schedules and budgets.

Occasionally it's good to take a moment in our hectic day to look at the bigger picture, i.e., the society as a whole, and to reflect on its needs. We have a responsibility for the quality of human environments, as well as to those who use them.

This is again the time of year for the annual United Way Campaign in your community. As you know, United Way is a national, non-profit, voluntary organization which raises money and allocates it to human care agencies. It is an opportunity for us as professionals to help those in our own communities who need it most; to "Make Someone Happy" by improving the quality of their lives in another way.

In the next few weeks, you will be asked to contribute to the 1985 United Way Campaign by one of your peers. As Chairman of the Architect Division for United Way in the Greater Milwaukee Area for the second consecutive year, I ask that you support your local United Way efforts and give generously this year.

The WSA has endorsed the United Way's mission.

Best regards,
HEIKE/DESIGN ASSOCIATES, INC.

Thomas A. Heike, AIA
President

DILHR Preliminary Review Policy

Preliminary Design Reviews are conducted for the purpose of resolving code related questions and/or problems uncovered by the designer during the design stages of a project. The Bureau's resolution of the question(s) or problem(s) is in writing, and binding on the plan examiner.

Preliminary Design Reviews are conducted either in the Bureau's office, by appointment, or on mailed in plans.

Preliminary reviews are conducted both for our benefit and the owner's and designer's benefit. With this in mind, these policies should be considered as guidelines only, not hard and fast rules, particularly with respect to who may request a preliminary, and what is discussed during the preliminary. A decision on whether or not to conduct a preliminary must be tailored to the individual project under consideration, and the reasons for requesting preliminary review.

The preliminary design service is intended to assist the building owner and designer within the noncompetitive, nondesign limitations of our division.

Preliminary Review Meeting:
These meetings are conducted, generally, only by appointment. Preliminary Reviews for new projects will be conducted only by the supervisory and leadworker staff. Preliminary Reviews for subsequent submissions on an assigned project (tenant spaces, additional buildings in a complex, etc.) will be done by the plan examiner assigned to the project.

Because of the limitation on who may conduct a Preliminary Review, we must insist that an appointment be made so that the requester does not make a trip to our office

only to find that no one is available to conduct their review.

However, we are in the business to serve the public, so every effort will be made to accommodate walk-in preliminary requesters. If it is determined that a walk-in cannot be accommodated, the plans may be left, and will be handled similar to a mailed in request.

Mailed In Preliminaries:

A mailed in preliminary involves the submission of a plan (1 copy is sufficient) of sufficient detail to explain the problem or question. The plan must be accompanied by a letter setting forth the code questions or problems the submitter wishes resolved. The preliminary plan may have penciled markings clarifying the submitter's request. Preliminary plans need not be signed or sealed.

The preliminary plan, letter and file, if any, following administrative recording procedures, will be given to either Clyde Bryant or John Eagon for response or assignment.

We will respond to a mailed in preliminary request within 15 business days of receipt.

Record of Meeting:

It is mandatory that a form DILHR SB148 be prepared for every Preliminary Design Meeting and Review of mailed in preliminary plans. This form is required even if no interpretation is made.

The Preliminary Design Review record must be numbered. The number is in three parts (XX-XXX-XXXX). The first two digits relate to the year in which the preliminary is conducted, the next three digits are the employee's identification number, and the last four digits reflect the sequential number of Preliminary Reviews conducted by that examiner in that year. The plan reviewed will be tagged with the

same number as the Preliminary Review report.

Who May Request a Preliminary:

Because Preliminary Reviews are intended to resolve code related questions and/or problems uncovered by the designer, if the structure contains more than 50,000 cubic feet, only the architect or engineer should request a Preliminary Review. The architect or engineer should be the one who submits the mailed in preliminary plans and questions, and the architect, engineer or their employee should be the individual who keeps a Preliminary Review appointment. It is very difficult to discuss code related questions with owners who are typically unfamiliar with the building code requirements. Often the owner will accompany the designer to the Preliminary Review appointment. This is acceptable, however, the preliminary reviewer must control the meeting such that it does not evolve into a design conference between the owner and designer.

It may well be that an owner of a building questions a code interpretation made by the designer, and wishes a preliminary review to confirm the designer's interpretation. This is a valid reason for conducting a preliminary review with an owner, rather than the designer, on a project.

If the structure contains less than 50,000 cubic feet, we will conduct Preliminary Reviews at the request of the owner, provided the owner is the designer, and has specific questions related to code interpretation.

Errors:

As indicated earlier, Preliminary Review determinations are binding on the plan examiner. This is necessary in order to provide creditability to our Preliminary Review process.

However, should a plan examiner feel that a preliminary reviewer exceeded authority, or made a definite error, the examiner may question the determination on a Preliminary Review by bringing it to the attention of his/her leadworker and/or supervisor. The plan examiner should not express this concern to the designer or owner. If the validity of the preliminary determination cannot be resolved at the leadworker/supervisory level, the Bureau Director will make the determination. If it is determined that the Preliminary Review is in error, the preliminary reviewer will write a letter to the designer, carbon copy to the owner, reversing the determination, and explaining the reasons for this action. Under no circumstances may a plan examiner, unilaterally, reverse a determination on a Preliminary Design report.

Time Reporting:

Time spent making a Preliminary Design Review appointment, conducting the review, preparing the report and responding to subsequent questions on that report should be charged to Project 867, Function 787.

Do's and Don'ts:

Do prepare a form SB148 for all preliminaries, both in our office and mails ins.

Do retain a plan for all preliminaries.

Do answer, in writing, all of the questions and problems addressed by the submitter.

Do answer other questions and problems, which you note while reviewing the plans in response to submitter's questions.

Don't schedule a general Preliminary Review of plans. The general

review of plans is accomplished when plans are submitted in accordance with ILHR 50.12. Preliminary Reviews are to resolve questions and problems only. It may well be to our benefit to conduct a general review of preliminary plans for large or complex projects, without having specific problems or questions addressed by the designer. Although designers are supposed to know the code, we are the experts in the code, and we may be able to uncover potential problems on complex projects prior to the expenditure of significant design and development costs.

Don't conduct Preliminary Reviews on projects which will be submitted to certified cities. Those Preliminary Reviews should be conducted by the certified city inspector. We will do Preliminary Reviews on these projects only if requested by the city inspector, and then limited to the code sections indicated by the city inspector.

Don't compete with private industry. Private industry designers and firms make their living by conducting feasibility studies and designing buildings. The Preliminary Design Review process of our Bureau should not be used for purposes of determining project feasibility, nor should the Preliminary Design reviewer enter into building design.

Don't conduct a Preliminary Review on a proposed Petition for Variance. The preliminary reviewer may identify the need for a petition, should provide information regarding the intent of the rule which may be petitioned, and may direct the submitter to our files for additional information. Because petition reviews are judgmental, preliminary reviewers should not attempt to second guess the opinions of a petition reviewer by suggesting specific provisions to be

included on a potential Petition for Variance.

Don't break the code. Decisions on Preliminary Reviews must be based on the Code, the Code Commentary and Official Interpretations issued by the Division. Variances to the code should be resolved through the petition process, not the preliminary review process.

Don't, if at all possible, become another preliminary reviewer on a project which has had a previous preliminary review by another staff person. It is best if all preliminary reviews on projects are done by one individual. ■

Code Update

1986/1987 Edition

Wisconsin Administrative Building And Heating,
Ventilating and Conditioning Code
Chapters ILHR 50 - 64

The 1986/1987 edition of the Wisconsin Administrative Building and Heating, Ventilating and Air Conditioning Code was adopted by DILHR Secretary Howard S. Bellman on July 22, 1985. The Wisconsin Building Code has been on a 2-year update cycle since 1980.

In response to requests from code users, the department has arranged for the printing and distribution of the 1986/1987 edition with the August, 1985 Wisconsin Administrative Register on or about September 1, 1985. This will provide approximately 4 months lead time for designers to familiarize themselves with the code before it goes into effect on January 1, 1986.

The new code in standard 6 inch by 9 inch format will be available from Department of Administration, Document Sales and Distribution on or about September 1, 1985. The new code in 8½ inch by 11 inch enlarged-type format will be available from the Division of Safety and Buildings on or about October 15, 1985. The enlarged-type version of the code will be punched for a standard 3-hole ring binder and will include vertical bar markings in the margin to identify changed text and dictionary-type headings on each page based on code section numbers.

The majority of changes included in the new code are deregulatory in nature. The department has codified the official interpretations published in the Wisconsin Building Code Report from January, 1984 to the present. In addition, new code sections address the topics of atriums, skywalks and the use of "direct vent sealed combustion chamber appliances" without furnace room enclosure.

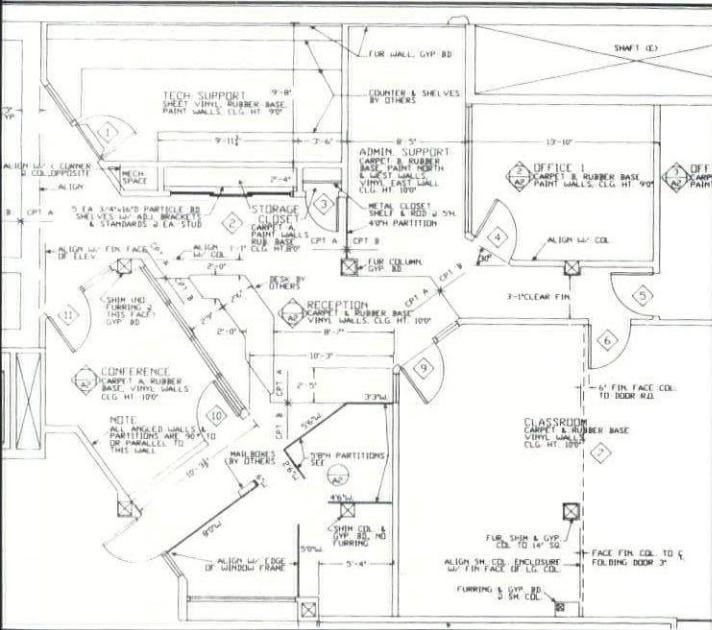
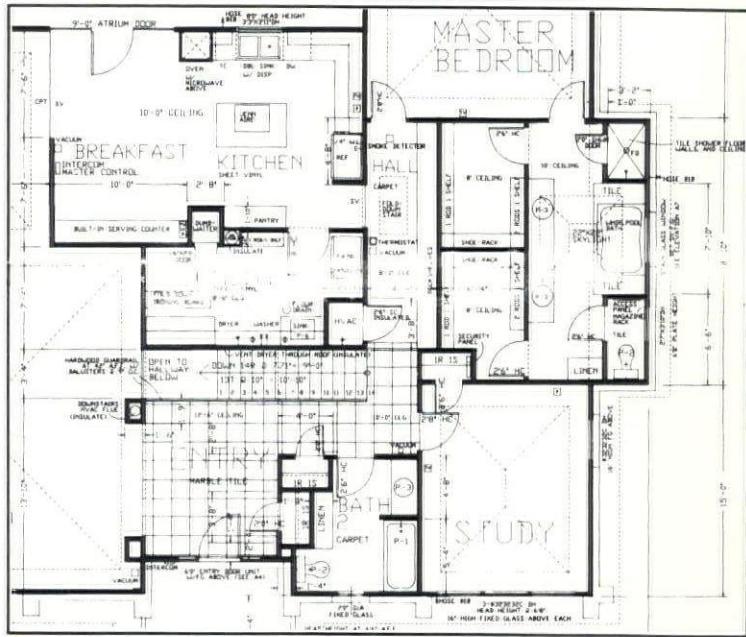
All of the changes in the new edition of the Code will take effect on January 1, 1986 except those in chapters ILHR 60 - Day Care Centers and ILHR 61 - Community-based Residential Facilities. The changes in chapters ILHR 60 and 61 will take effect on September 1, 1985. In response to construction industry requests, the department has adopted an emergency rule to permit the installation of "direct vent sealed combustion chamber appliances" without furnace room enclosure prior to the January 1, 1986 effective date. The emergency rule was published and took effect on August 13, 1985. The emergency rule will remain in effect until the permanent rule becomes effective on January 1.

Any questions regarding the 1986/1987 edition of the Wisconsin Building Code may be directed to the Division of Safety and Buildings at 608/266-3151. ■

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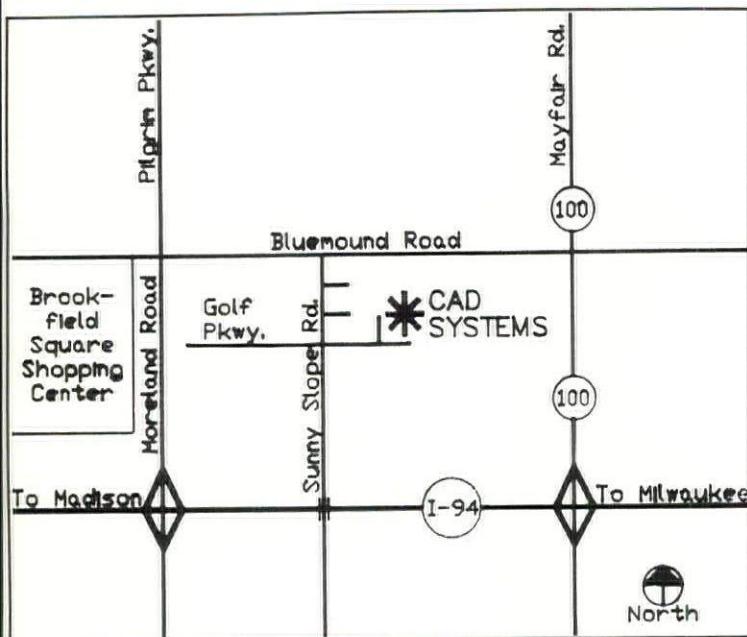
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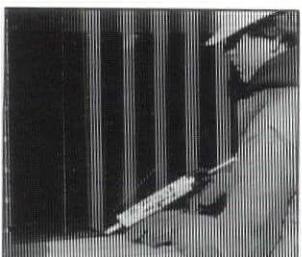


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Computers

Automation Of The Small Office
By Ronald V. Gobbell, AIA

I recall checking my slide rule by hand to see if the thing really was accurate. I even verified my electric calculator the first few times I used it. So is it any wonder that I'm now scaling drawings developed by computer?

While computers are by no means a new concept in our profession, full automation has, until now, been a pipe dream for small firms. Eight-man offices and smaller have tended to look at automated equipment with a wistful eye, believing that they could never pay for such a luxury, first of all, and that probably it would take a computer science genius to punch the right buttons anyway.

Well-founded as those concerns are, our firm has taken the plunge.

Our staff includes four architects, one chemical engineer, one secretary, and three part-time employees. This is a good size for us. We have been larger — at one time we had three more people — but we've had problems whenever we've grown. This was a primary element in our decision to automate. We want to keep well-educated architects doing what they're good at doing, not working through draftsmen. So, while under the pressure to grow, we decided to automate instead of adding personnel.

Two-and-a-half years ago, our inclination was to move in the direction of Computer-Aided Drafting and Designing. This was based on a longstanding interest in the capacity of computers to make that part of our lives simple. It was easy to imagine a computer's function in our profession. Simply by entering a floor plan, we would get doors and finish schedules. Wall

sections would be well underway. Total material take-offs would be readily accessible to interface with up-to-date cost estimates. All this would require about an hour of moving an electronic pen. When desired, we could have a full color rendering complete with the sun setting in the western sky.

We very quickly discovered after eighteen months of research (nothing is that quick) that highly-specialized computer graphics systems are compromised by tying them up with word processing and accounting, relatively simple functions. In fact, buying a complete micro-computer system to handle word processing and accounting needs is much less expensive than buying the software for the big system. So for our purposes, we decided to buy a micro-computer system; and it was installed last spring.

In our office, the micro-computer has made such an impact that the necessity for it and the resulting frustrations are comparable to the telephone and copier. Our primary reason for buying it was word processing, but by choosing a micro-computer, we were able to add accounting and financial management capabilities, as well.

We researched this area extensively and found the purchasing process to be exasperating. There was no way for us to compare systems, for each had its own unique benefits, and without computer experience, we had no way of knowing the true value of all the niceties, the extra capacities that each offered. But a friend gave us this advice: Ninety percent of the functions of leading micro-computers are the same, and those functions are the ones you'll use most of the

time, so if you keep it simple, you won't make a serious mistake.

Following this advice and acting on a self-imposed deadline, we applied the best technical judgement available: The Apple dealer was rude, so we conducted our business with Radio Shack. We purchased a Radio Shack Model II with extra disc drives. In software, we bought Scripsit for word processing, VisiCalc (an electronic spread sheet) for accounting, financial management, cost estimates, and other math functions, and Profile for mailing and filing systems. We also purchased the software to check spelling and have found it little or no value.

Our secretary took one training course on word processing and has taught herself the other necessary programs. She, in turn, has taught the rest of the office how to use the machine.

Now we can't remember how we functioned without the micro-computer. While a lot of improvements have been made in the past nine months, we are still very satisfied with our system.

After we were properly impressed by the capabilities of our micro-computer, and because we were under the pressure of increasing workloads, we were ready to move to the CADD system without the horror that we had initially experienced. Since an incredible amount of time had already been spent researching CADD systems, we applied a bit of the philosophy that we had used in selecting micro-computers: i.e., most of them are the same for most functions. For this purchase, we started researching companies instead of specific systems.

An appropriate procedure for a potential buyer would be, first, to define what capabilities you want, and then to conduct a strong self-analysis of how the system will work into your particular firm. It is critical for a small firm, especially, to know exactly how much time is spent drawing. It may be less time than you think. If you take the total hours spent in pure drawing time and divide it by three (projected efficiency for the CADD system), you should have sixteen hours a day in drawing time. If your firm isn't spending forty-eight hours a day drafting, you will not optimize the potential of a graphics computer.

Next, establish the quality level of your computer by reviewing a broad cross-section of leading companies in the industry. Computer shows such as Systems '83 are excellent sources for obtaining a good cross reference of the general market. Watch as many demos as possible, but don't believe any of them.

Once you've narrowed your choices to a few companies, get hands-on experience (This is a necessity!) and start checking into each company's role in the industry, as well as its role in research and development. Be aware that any system purchased in the next few years will only be sixty to eighty percent complete.

Then educate your banker and contact your minister!

We did not necessarily follow the best procedure in making our choice of systems, but we are happy with the direction we took. We purchased an Intergraph Color System with one work station and a Hewlett-Packard 8-Pen Plotter. It was installed in September.

Training of myself and another architect was very time consuming, but because of our interest in computers, turned out to be a rather pleasant experience. It took less time than we had originally calculated for us to hit our proficiency goals in all the fundamentals. We had decided early on to concentrate on basics, leaving the sizzle until a time at which we were more economically productive. The education of the remaining personnel has been through classes and as much hands-on, real project experience as is practical. As a result, it is our policy that all drawings produced by our office (except for schematic sketches or previously initiated projects) are generated on the computer. To date, several projects have been completed using our graphics system.

Since we tried to anticipate the worst, the real shocks have come not in how the system works but in how frequently it is not in use. We've had some equipment problems, but our biggest problem has been in the area of management. The concept of everyone pitching in at the end to finish a project doesn't work with one station. If several projects are due at once, again, management becomes a key factor. These management concerns were an aspect that we didn't properly evaluate before making our plunge.

Another aspect that we did count on, but which is still painful, is the ongoing cost. Maintenance and office modifications are difficult enough. But the purchaser of a CADD system must be prepared to make continuing hardware and software improvements.

We have found the system to be good at drawings from the preliminary stage on. We're having to adapt new drafting techniques to reflect the computer's capabilities, rather than applying the techniques that are easier on the drafter. Quality and precision have improved immeasurably. But in order to make full use of the system's abilities, all engineering packages should be done on computer as well.

As a design tool, the CADD system works very well in the design development stage. We frequently use the computer to modify layouts, obtain basic data, i.e. square footage, and to analyze alternate directions. It is simple to drag various components of design from one area to another, and at any point print the alternatives with ink, hardline quality. While our computer has 3-D capabilities — and that's an enjoyable way to spend a Saturday afternoon — we are merely in the formative process of developing the ability to use this extraordinary technique as a design tool.

On the support side, we have found that the vendors of both micro-computers and CADD systems don't understand architects any more than we understand computers. The value of that unique individual who understands his product and is sympathetic to our circumstances cannot be minimized. If he can be located prior to purchasing, chances for success are much enhanced.

It should be noted that by the date of this publication, our firm will have merged with a 140-man engineer-

ing firm. While this decision was predicated on many factors, the fact that the engineering firm had an Intergraph system, and the possibility of integrating engineering and architectural design on the computer played a definite role in our decision.

Automation is the way to go. Micro-computers are essential to even the smallest architectural firm. Graphic systems will be essential. The decision to move toward full automation is painful and risky, but I must say that after six months of high monthly payments, I feel our firm made the right decision . . . I think.

Ronald V. Gobbell, AIA, is President of Gobbell-Hays and Associates, Inc., Nashville. Previously, he practiced in Boston, Teheran, Iran and San Antonio. He is serving on the Mayor's Committee for Community Excellence. ■



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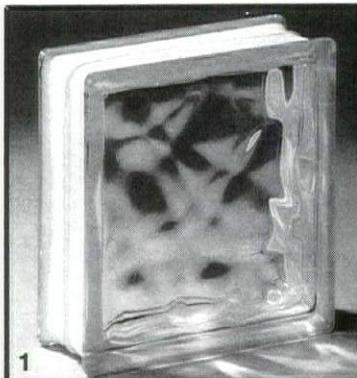
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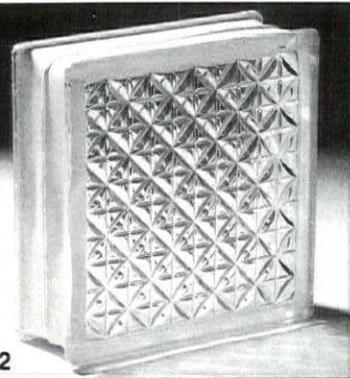
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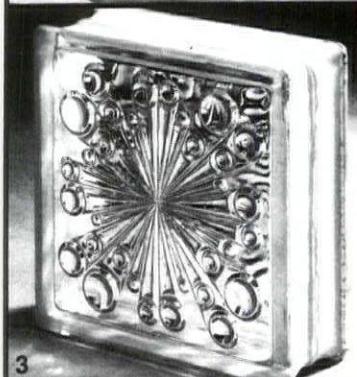
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Institutional

Project: Pewaukee Veterinary Service
Architect: E. John Knapp, Madison, Wisconsin
General Contractor: Corporate Development Corporation

Two brothers in veterinary medicine had identical ideas about what they wanted in an animal hospital. They chose a sloping south-to-north site. One doctor treats large animals on the lower level. His brother operates a small animal clinic on the second level. This building received the Veterinary Hospital-of-the-Year award for 1984.

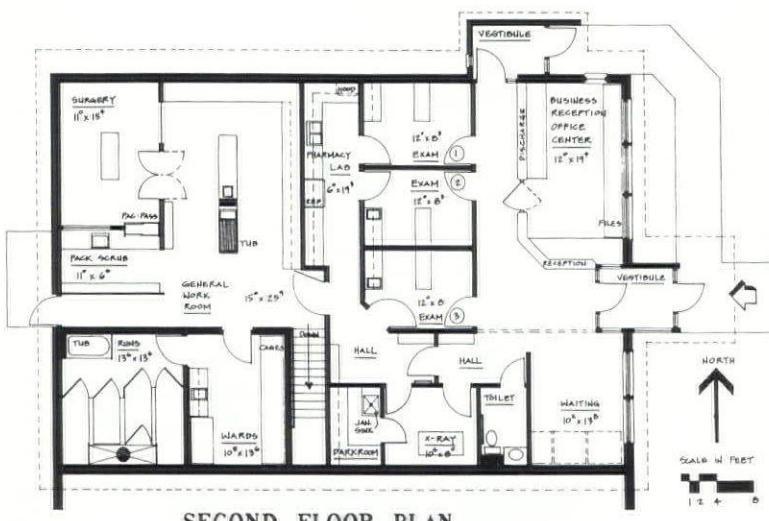
Perhaps the single most important feature of the building's design is the three part solar system. First-passive solar, second-solar hot water, and third-direct heat gain in large lobby.

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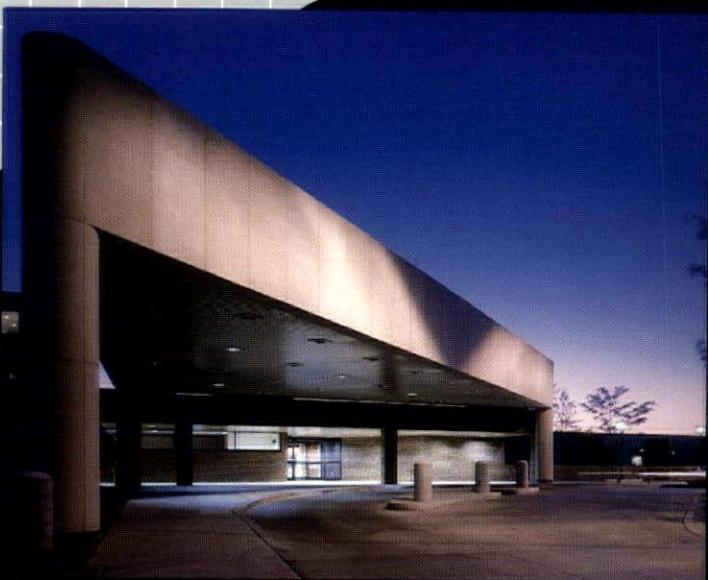
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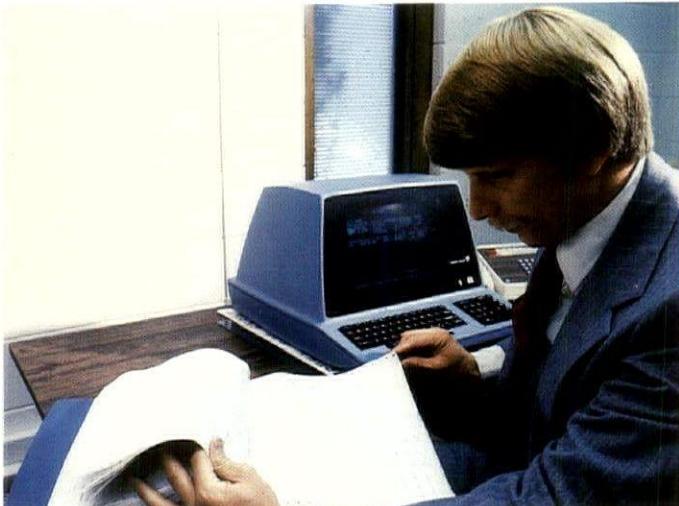
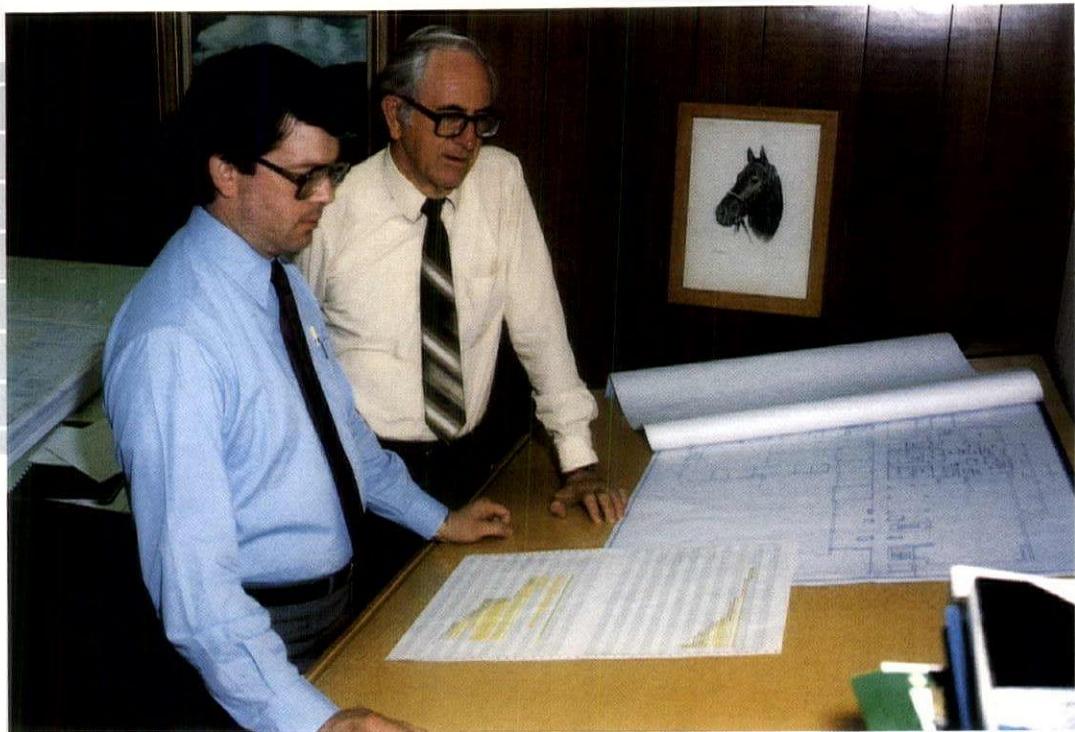


Milwaukee Blood Center

MICHAEL W. LABONTE - Vice President, Construction. Joined the company in 1972 following graduation from Milwaukee School of Engineering with a B.S. Degree in Architectural and Building Construction Engineering. Assistant Project Superintendent 1972-1973; Project Superintendent 1973-1974; Estimator/Project Manager 1974-1983; Project Manager 1983-1984. Named Vice President, Construction 1984.



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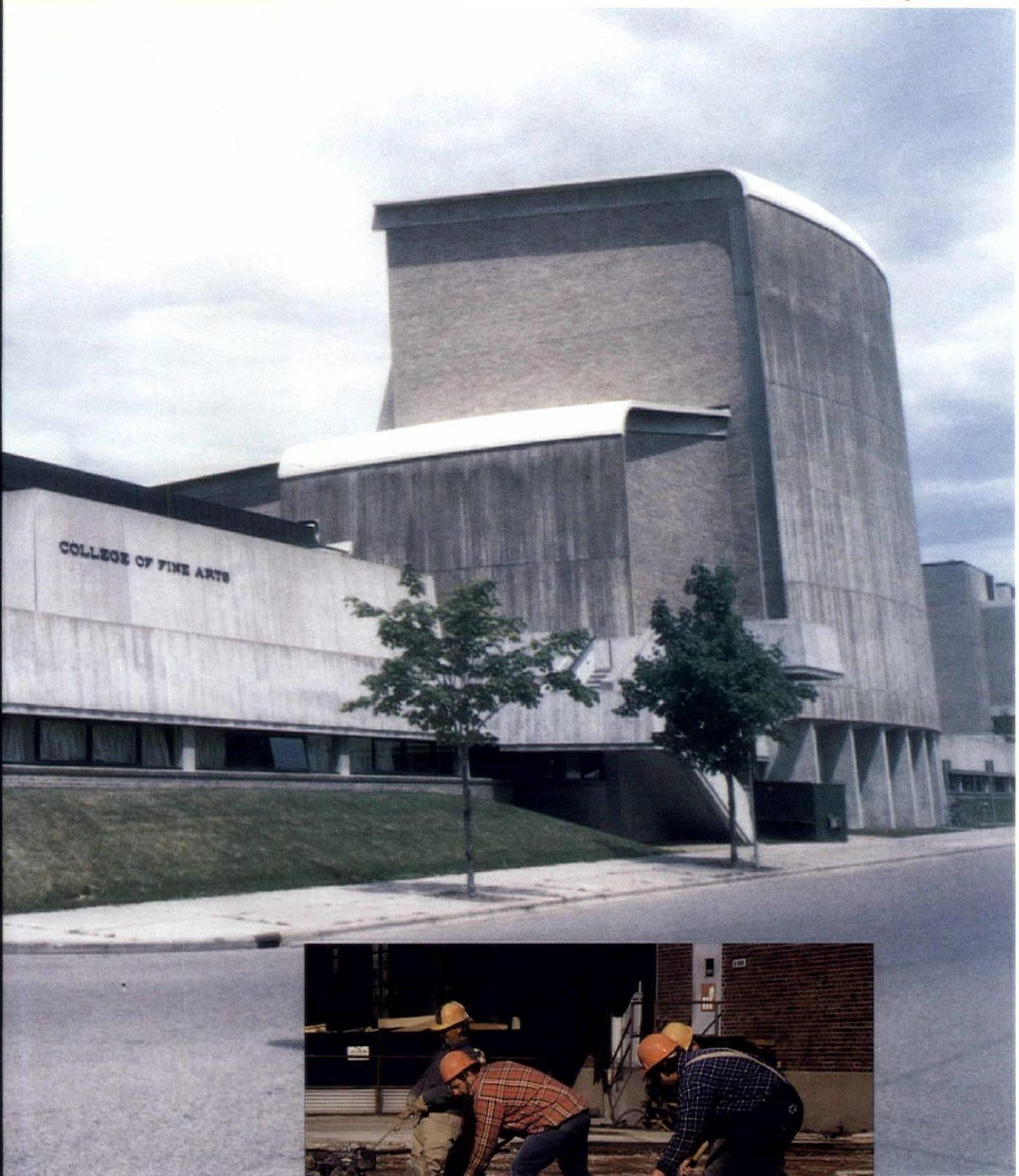
- Professional advice and recommendations to help analyze your facility needs.
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Good Samaritan Medical Center



Milwaukee Blood Center



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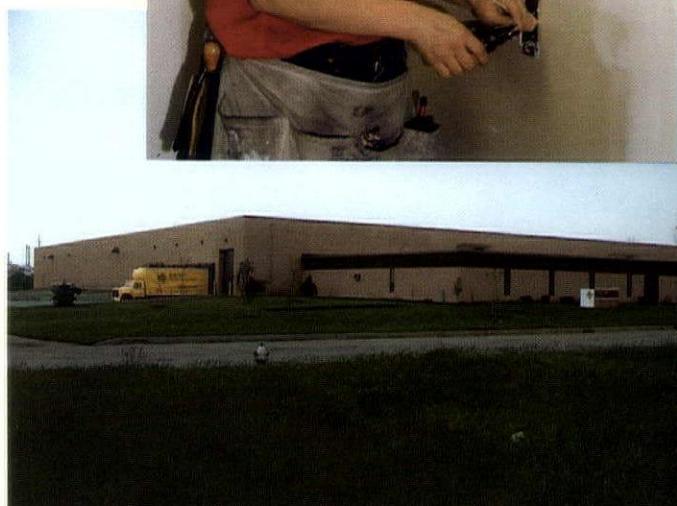
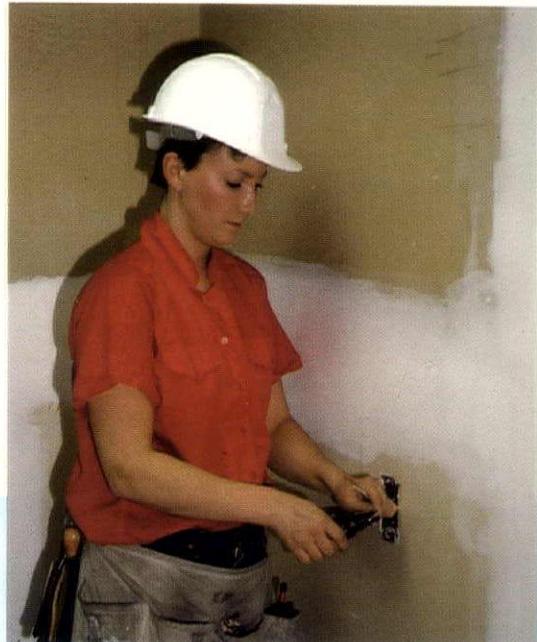
- **Cost Plus:** You pay only for the actual cost of the work performed, plus an agreed upon fee.

- **Design/Build:** Under a single contract, we provide all of the services needed for your project. These include architectural, engineering and construction services.

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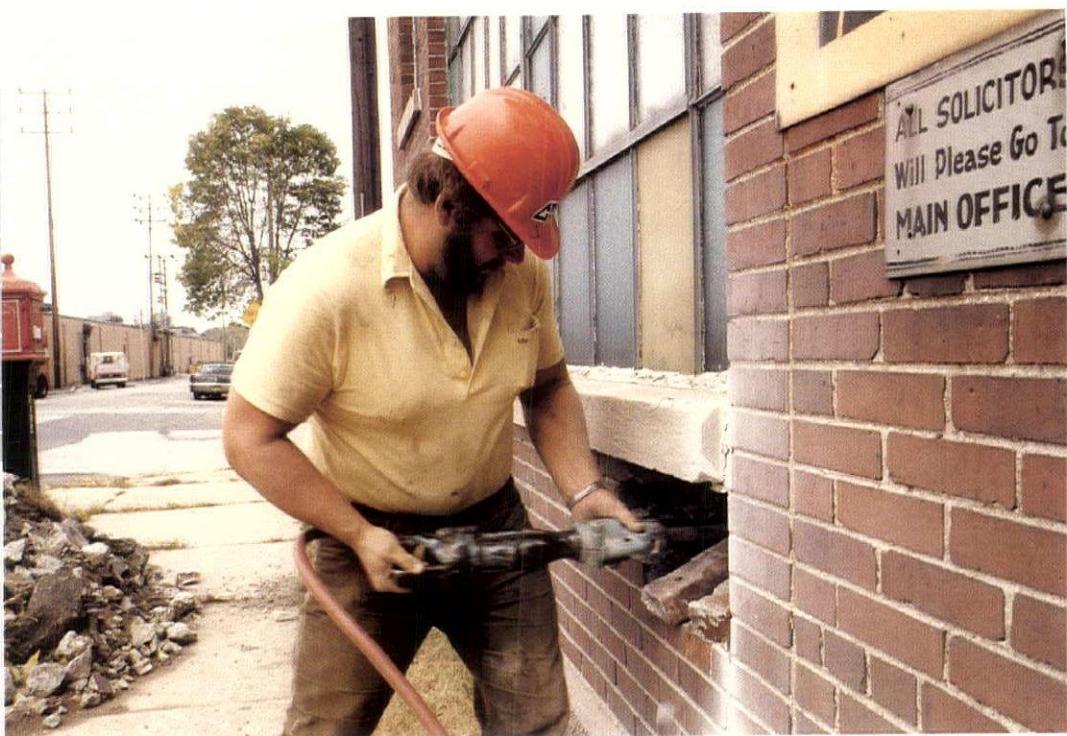
We will help you choose the most suitable approach to satisfy your building needs. We will work with your architect or engineering consultant, or help you choose qualified firms for the project you're planning. And we offer cost-of-construction input from the beginning of the design process through completed plans and specifications.

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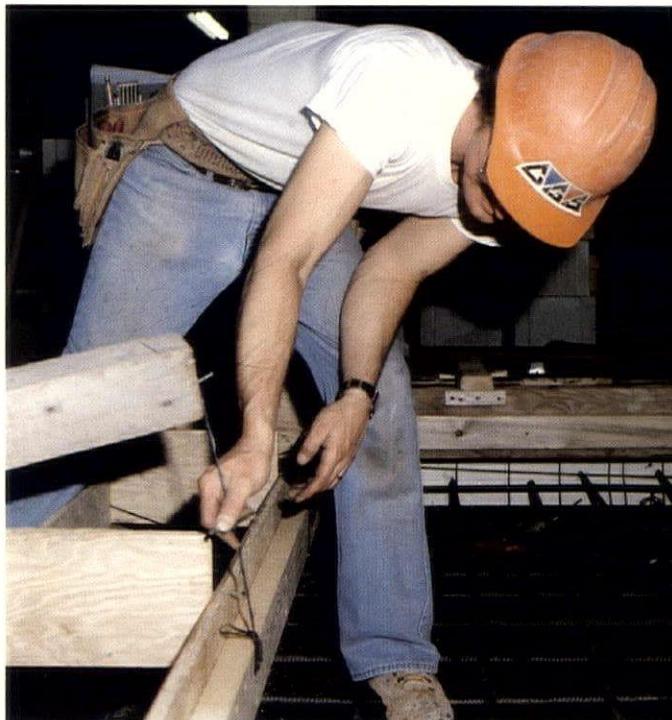
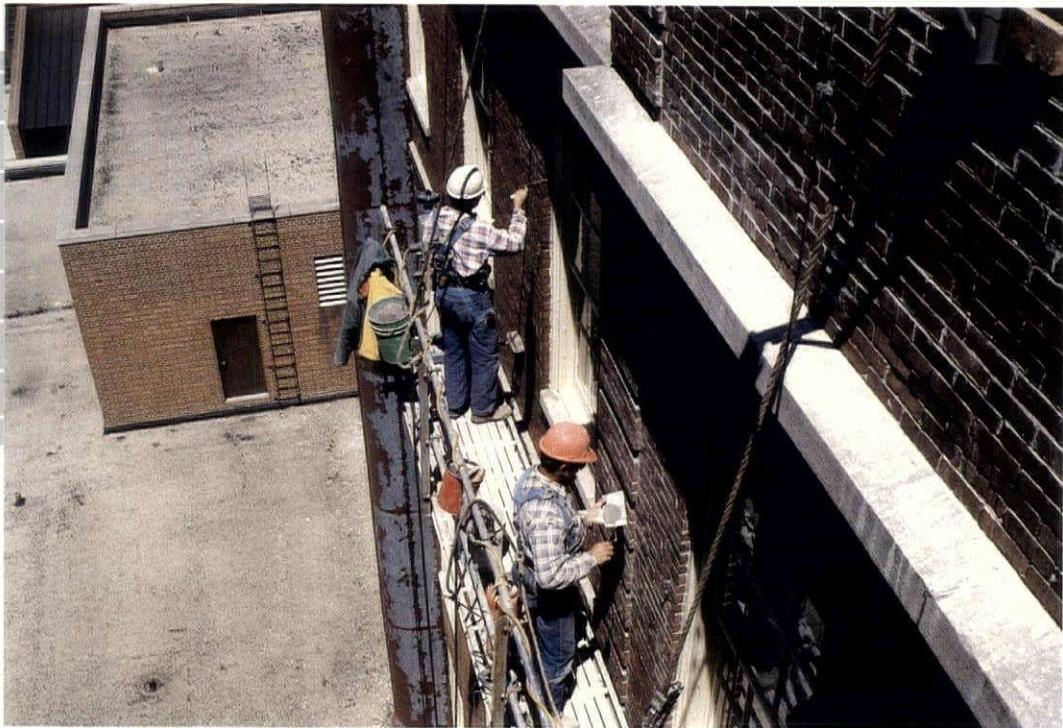


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Project: Good Samaritan Medical Center
Architect: PKR Architects, Milwaukee, Wisconsin
Owner: Good Samaritan Hospital
Construction Manager: C.G. Schmidt, Inc.

Good Samaritan Medical Center is the consolidation of the former Lutheran and Deaconess hospitals, which were located within blocks of each other. The task of the architects was to "meld in" ancillary facilities of the two hospitals and to create a new image for the surviving camps.

The emergency and outpatient departments were located on the first floor for easy access. The two departments were also designed to interact with each other as patient demand changes, with separate ambulatory and ambulance entrances. The triage area allows visible and voice contact with both and serves as a control point.

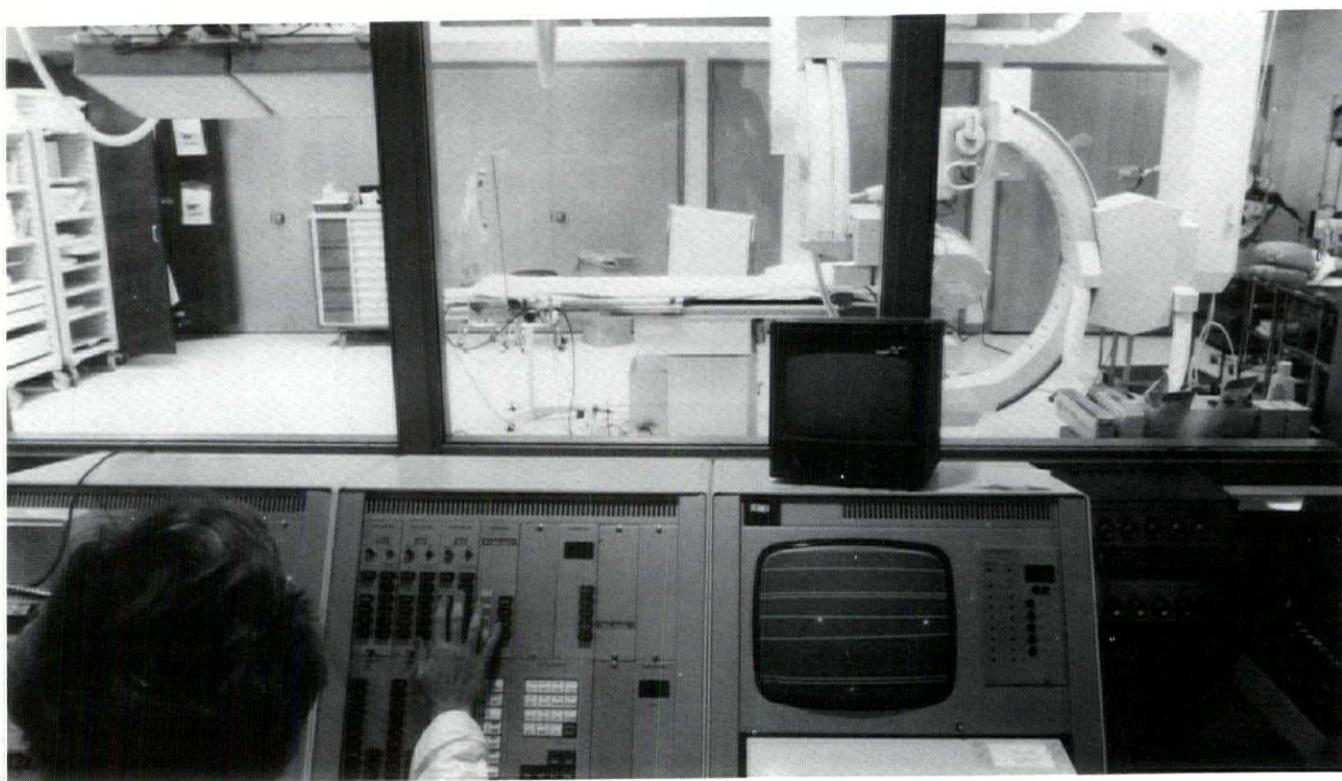
The second level is dedicated to surgery. The heart rooms and surgical suites are considerably larger than other hospitals. This allows for more technical equipment and personnel needed for today's surgery. A glass enclosed court with trees and shrubbery, just outside the surgery entrance affords the doctors and staff a visual luxury not allowed in most surgical environments.

ICU, CCU and Cardiac Catheterization departments were placed on the third level to tie into immediate care telemetry in an existing building. The three ICU suites extend off a central core which functions as the heart of this critical care area. This allowed each patient room to have windows and created a central location for a minor operating room and medical support equipment.

The exterior of the building is pre-cast material in an attempt to match the existing building. A contemporary atrium and lobby was designed to make the entrance function as a visible focal point and fulfill the desire to create a new image for the medical center. ■



Photos Continued on Page 18



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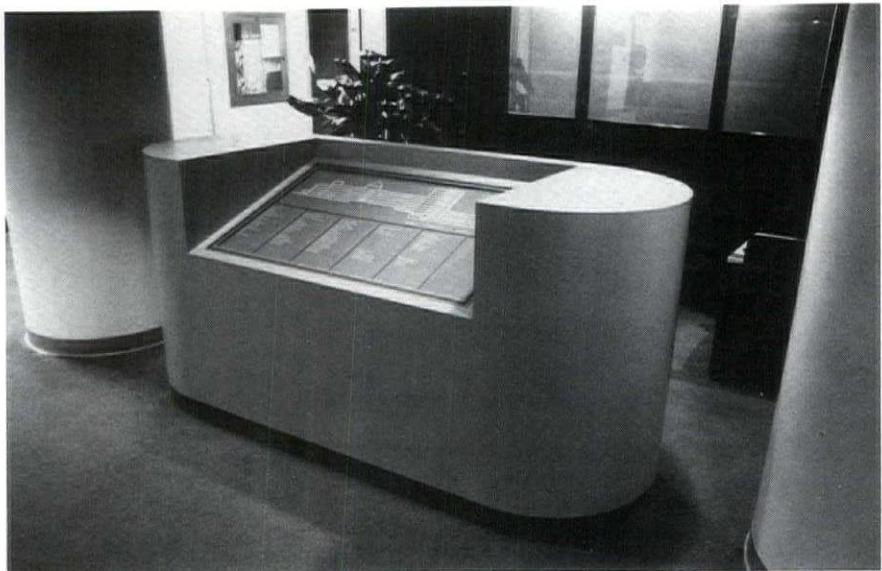


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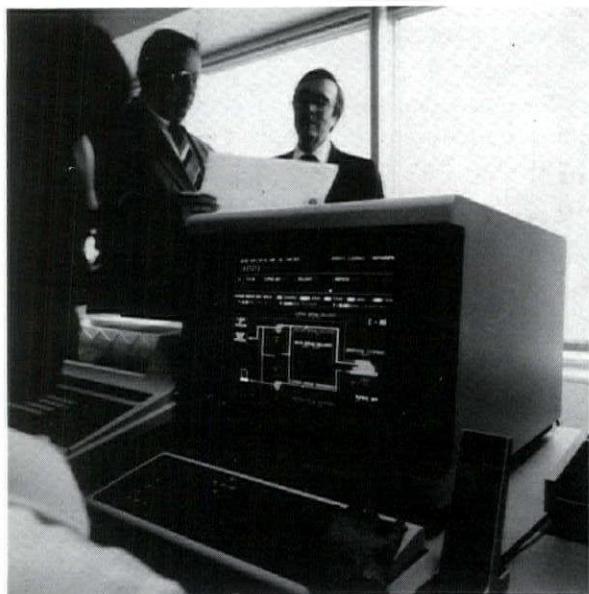
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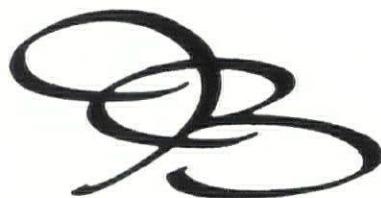
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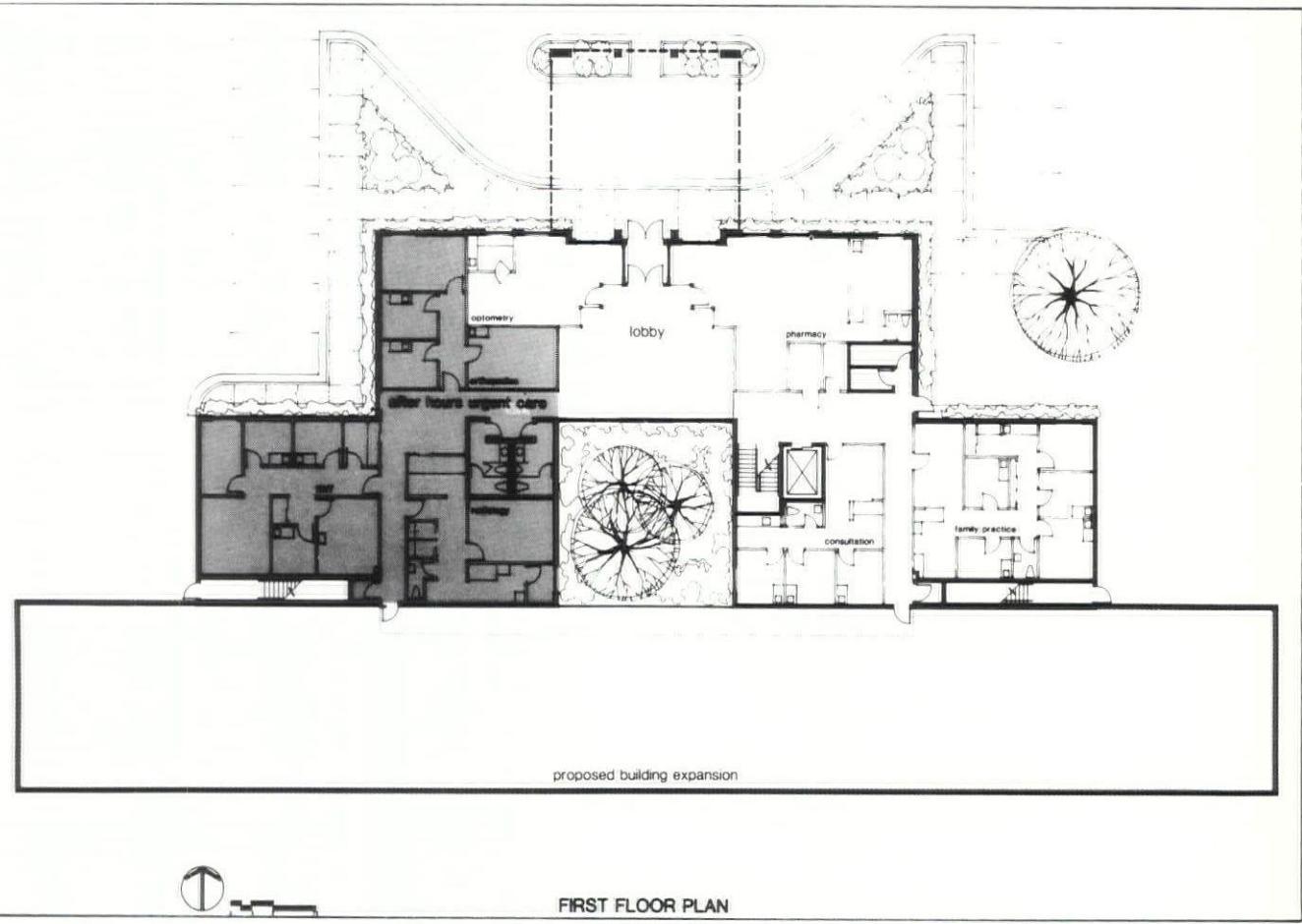
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Project: Mequon Medical Park
Architect: Kahler · Slater · Torphy · Engberg, Milwaukee, Wisconsin
Owner: NA
General Contractor: Stevens Construction Co.



The natural setting of a grove of trees is the location for Mequon's newest doctor's office building, Mequon Medical Park. The facility will convert to an urgent care center at night and on weekends.

The building's entry is the focal point of the unique design. Building materials were used in a creative way to provide interest on the exterior of the building.

Facade colors are brought to the interior in carpet, upholstery, wall colors, and casework. Stepped wall patterns of the exterior are repeated in the transparent partitions between public spaces and the lobby. A landscaped court can be seen from the lobby and major corridors.

A column-free design of bays ensures eventual remodeling flexibility. When complete, a landscaped court will be visible from lobby and main corridors. ■

Photos Continued on Page 24



ANOTHER OPTION FOR DESIGN PROFESSIONALS REGARDING ASBESTOS

What to do about asbestos? Everyone's got a theory . . . no one's sure they've got the answers.

One possible option is as follows:

- 1) In the Special Conditions, insert the following paragraph referenced to AIA-A201 11.3 - "no friable asbestos work of any nature is included in this contract."
- 2) In the Supplementary General Conditions, insert the following paragraph: "If during the construction of this project, work involving friable asbestos is suspected, or encountered, the owner or the owner's representative, shall be notified immediately and the owner with his own forces or by separate contract shall be responsible for complete investigation, removal, and disposition of the friable asbestos hazard in accordance with applicable laws and regulations."

LIABILITY REPORT: ARCHITECT EXONERATED

A judicial decision recently handed down from the Circuit Court in Door County affirms the roll of the architect during the construction phase of the project and denies the owner's claim that the architect is a guarantor that the building will be built in full conformance of plans and specifications.

The architect had been hired by the owner (a medical center) to provide professional services. A B151 had been executed. While the architect had offered to provide CM services through a B801, the owner had never signed the agreement.

After the foundations and cement block walls were erected and after the building was lowered onto the walls, cracks developed in the walls located in the southwest corner and at the north side of the walls. These cracks became substantial, and the owner eventually ordered the walls replaced. The owner then sued the architect for the replacement cost claiming that the architect failed to properly supervise the construction project and that his failure allowed the subcontractors to engage in poor work.

In deciding in favor of the architect, the judge specifically quoted the definition of construction phase services to be provided to the owner as set forth in the B151. In reviewing the facts of the case, the judge found that the architect's services were provided with the skill and judgment that would reasonably be expected from architects. The judge held that fault for the problem was apparently due to rainy weather, the failure of the owner who was acting as the general contractor to take the architect's recommended action when the cracks in the walls were first discovered, and the failure of the subcontractor to erect the walls in conformity with the plans. Congratulations to Pat Mangan, AIA, for his time, enthusiasm, and tenacity in defending himself in this case. Pat has donated to the WSA library several legal briefs and the decision of the court in this matter. To obtain this information . . . contact Eric at the WSA office.

PEOPLE AND PLACES

GORDON D. ORR, JR., FAIA has retired from his position with the University of Wisconsin Madison, Department of Planning and Construction. Gordon combined his architectural career with a heavy involvement in Historic Preservation both locally and nationally. He is a past chairman of the National AIA Committee on Historic Resources and previously served on both the Madison Landmarks Commission and the Wisconsin Historic Review Board. The WSA wishes Gordon well in his retirement. It will provide us (WSA) with an even greater opportunity to utilize Gordon's many talents.

BOB SAJBEL, AIA lost his courageous fight against cancer earlier this summer. Bob was an enthusiastic and active participant in WSA activities at the state, local and national level for many years. He enjoyed the practice of architecture. He was concerned about the future of his profession. He was willing to actively participate in finding solutions to problems. He will be missed.

NEW HANDBOOK CHAPTERS

Two new chapters are available for the ARCHITECTS HANDBOOK OF PROFESSIONAL PRACTICE. B-4 Office Project Management and B-5 Design and Construction Cost Management. Call Karen or Sandra at the WSA office to update your Handbook. 1-800-362-3912 - Wisconsin . . . 257-8477 - Madison.

COPYRIGHT

Three calls in the last month, all pertaining to copyright protection for architects.

In all three situations third parties were using plans prepared by architects **without** the architect's consent. What to do?

Tragically in all three situations the architects had failed to copyright their work product. If they would have . . . they would have had an excellent lever to receive payment for their work product.

Copyrighting your work product takes less time than it does to read this article. All you need to do is place a notice of copyright on your work product (each page of plans, each specification, each request for proposal, etc.). The notice should contain the following:

- a) ©
- b) The year when the work was first distributed.
- c) Name of the copyright owner.
For example . . . © 1985 Flood and Associates.
For further information contact Eric at the WSA office.

FOR LOVE OR MONEY

The most frequent reason for Iowa architects to change jobs is the lack of potential promotion. This is according to the 1984 graduate research study conducted at the Graduate School of Business at Drake University. The results also indicated that the most frequent reason for accepting a new position was the quality of the firm's design.

Of the 109 respondents to this survey, 66% made at least one job change in the last ten years. About 35% of the respondents indicated that they do not intend to make a career with their present firm.

The findings of the survey suggest that as a group, architects are significantly more motivated by the opportunity for promotion and the quality of the firm's design than by other factors when making a job change. The data collected in the study indicates that architects, like other professions, are motivated by intrinsic factors. In contrast with other professionals, architects do place a heavy emphasis on pay, and extrinsic factors. This difference may reflect the fact that architects typically earn substantially less than other professionals and therefore pay is by necessity a more important factor.

What implications does this study have for architectural firms? Several conclusions appear to be clear. First, firms experiencing lower levels of employee turnover will be the organizations which provide a clear path of promotion, and the opportunity to expand responsibility and ability. Second, a firm with a good reputation in design will be in a much better position to attract the employees that it wants. Third, pay is the one extrinsic factor that cannot be ignored.

1985 "AIA GROUP PLAN FOR FIRMS" OPEN ENROLLMENT PERIOD ANNOUNCED

"The AIA Group Plan for Firms", which is also available to sole proprietors, will be available for purchase without health evidence between September 1 and October 31, 1985. Presently, approximately 25% of the active AIA firms nationally participate in the "Design Professionals Group Insurance Plan" of which the AIA Program is a part.

Besides competitive rates, the program features an "unusual" service package including:

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For further information on this benefit of AIA membership, please call Sue Esquibel or Diane Sommerville at 1-800-854-0491 toll free (Association Administrators & Consultants, Inc.).

PROPRIETARY SPECIFICATIONS

Architects and engineers have some latitude in specifying or refusing to specify particular products or services for projects in which they provide services. The question is . . . how far can you go in specifying brand or trade name products or services on public projects?

This is a matter that has put braces on more than one attorney's children's teeth.

The bottom line seems to be that since a public body is free to accept or change proprietary specifications recommended by its consulting architect or engineer, and provided there has been free competition to convince the consultant of the virtue of a supplier's particular design, that the consultant's use of a proprietary specification to describe the features of a favored project is allowable.

For more information see Volume XIII, Number 1 of the "Guidelines for Improving Practice" published by the offices of Victor O. Schinnerer & Company.

MEMBERSHIP ACTION

DAY, KIERAN M., was approved for AIA Membership in the Southeast Wisconsin Chapter.

LINVILLE, E. EDWARD, was approved for Associate Membership in the Southwest Wisconsin Chapter.

CASPER, MICHAEL O., was approved for AIA Membership in the Southeast Wisconsin Chapter.

KRESINSKE, EDWARD L., was approved for AIA Membership in the Southeast Wisconsin Chapter.

WAGNER, ALAN J., was approved for Associate Membership in the Southeast Wisconsin Chapter.

PERCHES, LUIS BARBOSA was approved for AIA Membership in the Southeast Wisconsin Chapter.

KOENIG, HAL, was approved for AIA Membership in the Southeast Wisconsin Chapter.

KOLBERG, TERRY, was approved for AIA Membership in the Southwest Wisconsin Chapter. He is upgrading from Associate Membership.

WILLIAMS, WILLIAM W., was approved for AIA Membership in the Southeast Wisconsin Chapter.

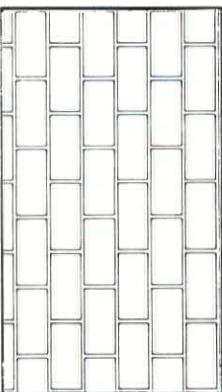
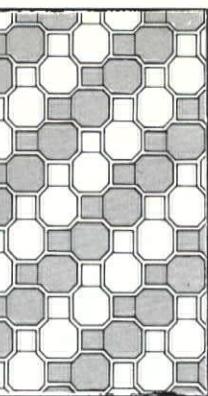
DRZEWIECKI, JAMES, was approved for AIA Membership in the Southeast Wisconsin Chapter.

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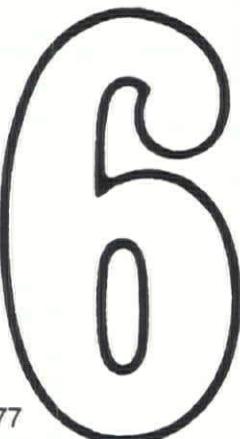
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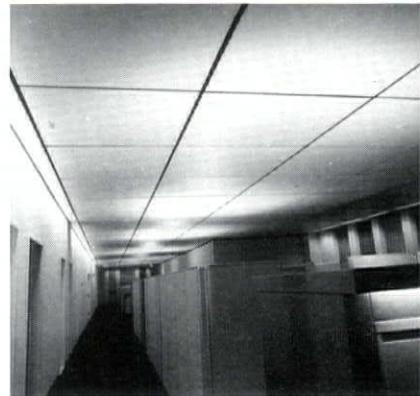
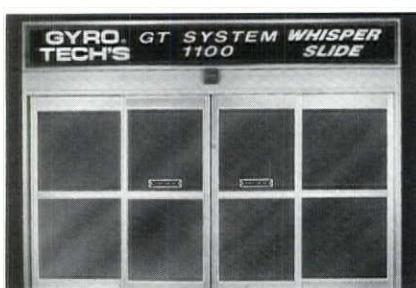
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MUSKEGO, WISCONSIN . . . A new, automatic pedestrian sliding door system, perfect for use in areas of heavy traffic, is now being marketed by Gyro Tech, Inc.

The GT 1100 WS, dubbed the "Whisper Slide," has the ability to quietly keep out the elements from public places such as hospitals, airports, supermarkets, etc. The complete system includes doors, operators and frames, and is available in a single door or bi-parting pair to fit virtually any desired opening. Standard finishes for the Whisper Slide are clear and dark bronze, with special finishes available upon request.

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For more information, contact Mark T. Johnson, Gyro Tech, Inc., P.O. Box 906, Muskego, WI 53150 414-679-0045.



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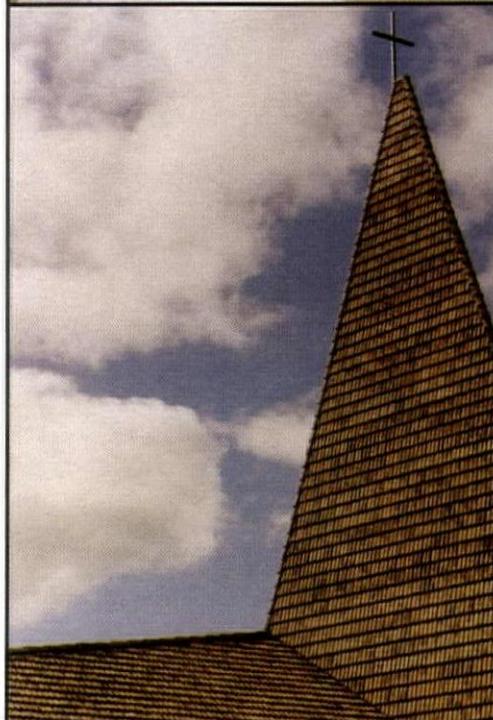
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